

REMARKS

An Information Disclosure Statement was electronically filed on August 18, 2004. The examiner is requested to acknowledge consideration of all the cited references. In particular, careful consideration should be given to the Lewak et al. patent as previously requested. Applicants believe their invention as claimed fully distinguishes over the prior art. Applicants are entitled to have the Information Disclosure Statement considered and such consideration is urgently solicited.

All claims have been rejected over the 102(e) reference to Kanevsky et al. alone or in combination with other references. Applicants have shown that the conception and reduction to practice of their invention occurred prior to the filing date of Kanevsky et al. The examiner has objected to the form of Applicants' Rule 131 Declaration. All such issues have now been addressed by the new Declaration under 37 C.F.R. §1.131 submitted herewith. Therefore, Kanevsky et al. is not prior art and cannot be the basis of a rejection. The rejection has been overcome and the claims should be allowed.

Referring more specifically to the issues raised regarding the declaration, the examiner objected to the form of the declaration. The enclosed declaration uses the appropriate language affirming that, "We each hereby declare that all statements made of our own knowledge herein are true and all statements made on information and belief are believed to be true...." The declaration is thus now in proper form for removing Kanevsky as a reference.

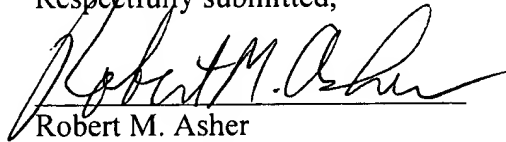
The examiner had difficulty with the exhibits because upon being scanned they were separated from the inserts identifying their exhibit numbers. The declaration submitted herewith places exhibit labels directly on each of the screen shots, so that upon being scanned into the USPTO system, they should be easily reviewable. The present declaration meticulously reviews each of the elements of claim 1 and shows where such elements read on the program conceived and written in Java source code prior to April 23, 1999. For each of the elements of claim 1, correspondence can be found with the screen shots of Exhibits B-J produced by the source code that predates Kanevsky et al. The screen shots resemble many of those contained in the original patent application. Should the examiner have any questions

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with regard to Applicants' invention and any of the screen shots, the examiner is encouraged to contact Applicants' counsel at the below referenced telephone number.

For the foregoing reasons, Applicants submit that all claims pending in the application are patentable over the art of record and early notice to that effect is respectfully solicited.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Robert M. Asher", is written over a horizontal line.

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